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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 v.) 2:15-CR-002-KJD-(CWH)
11 ROBERT DAVIDSON,)
12 Defendant.)

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that defendant ROBERT DAVIDSON pled guilty to Count One of a One-
15 Count Criminal Indictment charging him with Possession of Child Pornography in violation of Title
16 18, United States Code, Section 2252A(a)(5)(B). Criminal Indictment, ECF No. 1; Change of Plea,
17 ECF No. 32; Plea Agreement, ECF No. N.

18 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America
19 has shown the requisite nexus between property set forth in the Forfeiture Allegations of the Criminal
20 Indictment and the offense to which defendant ROBERT DAVIDSON pled guilty.

21 The following assets are any visual depiction described in Title 18, United States Code,
22 Section 2252A, or any book, magazine, periodical, film, videotape, or other matter which contains any
23 such visual depiction, which was produced, transported, mailed, shipped or received in violation of
24 Title 18, United States Code, Section 2252A(a)(5)(B) or any property, real or personal, used or
25 intended to be used to commit or to promote the commission of a violation of Title 18, United States

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1 Code, Section 2252A(a)(5)(B) or any property traceable to such property, and are subject to forfeiture
2 pursuant to Title 18, United States Code, Section 2253(a)(1) and (a)(3):

- 3 1. Emachines desktop computer, serial number XC68370052078;
- 4 2. Dell Inspiron laptop computer, serial number 1H3VN71; and
- 5 3. Miscellaneous computer discs.

6 (all of which constitutes "property").

7 This Court finds the United States of America is now entitled to, and should, reduce the
8 aforementioned property to the possession of the United States of America.

9 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
10 United States of America should seize the aforementioned property.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
12 ROBERT DAVIDSON in the aforementioned property is forfeited and is vested in the United States
13 of America and shall be safely held by the United States of America until further order of the Court.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
15 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
16 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
17 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
18 name and contact information for the government attorney to be served with the petition, pursuant to
19 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
21 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
22 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
23 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
24 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's
25 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
26 petition and the relief sought.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
2 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than
3 thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
4 after the first day of the publication on the official internet government forfeiture site,
5 www.forfeiture.gov.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
7 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
8 following address at the time of filing:

9 Michael A. Humphreys
10 Assistant United States Attorney
Daniel D. Hollingsworth
11 Assistant United States Attorney
Lloyd D. George United States Courthouse
12 333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
14 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
15 following publication of notice of seizure and intent to administratively forfeit the above-described
16 property.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies of
18 this Order to all counsel of record.

19 DATED this 27 day of Oct, 2015.

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23 UNITED STATES DISTRICT JUDGE
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